

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JACK SILLA,)	
)	
Plaintiff,)	
)	2:09cv1481
vs.)	Electronic Filing
)	
COMMISSIONER OF SOCIAL)	Judge Cercone /
SECURITY,)	Magistrate Judge Mitchell
)	
Defendant)	

MEMORANDUM ORDER

AND NOW, this 8th day of June, 2010, after the Plaintiff, Jack Silla, filed an action in the above-captioned case, and after cross-motions for summary judgment were submitted by the parties, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties fourteen days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by Plaintiff and the response to those objections filed by Defendant, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 14), which is adopted as the opinion of this Court,

IT IS ORDERED that the Plaintiff's motion for summary judgment (Docket No. 10) is denied and that the Defendant's motion for summary judgment (Docket No. 12) is granted.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the Plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P. 3.



David Stewart Cercone
United States District Judge

cc: Honorable Robert C. Mitchell
United States Magistrate Judge

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